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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,019	05/06/2004	James Buck	057958.000003	9659
7590	04/19/2005			EXAMINER
BRACEWELL & PATTERSON, LL.P. P.O. BOX 61389 HOUSTON, TX 77208-1389			KAUFFMAN, BRIAN K	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/840,019	BUCK, JAMES	
	Examiner	Art Unit	
	Brian K Kauffman	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 May 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 10-16 is/are allowed.
 6) Claim(s) 1,3,4,6,17,19 and 21 is/are rejected.
 7) Claim(s) 2,5,7-9,18,20 and 22-24 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 06 May 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/6/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Objections

Claim 24 is objected to because of the following informalities: claim 24 refers to the system of claim 23. It should refer to the method of claim 23. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-4, 6, 17, 19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Krasnitz (6,832,569).

In regard to claims 1 and 3, Krasnitz discloses a system for both screen printing an embroidering a work piece, comprising a screen printing machine (fig. 4) having a first hoop holder (28); an automated embroidery machine (fig. 5) having a second hoop holder (34); and a hoop (10) with a pair of opposed arms (18) that interchangeably engages the first or second hoop holders, such that the hoop supports, center, and rotationally aligns a work piece during both screen printing and embroidery without having to remove the work piece from the hoop between operations (col. 4, lines 14-48).

In regard to claim 4, Krasnitz discloses that the arms of the hoop and the first and second hoop holders are provided with registration and alignment features to ensure accurate centering and rotational alignment between the hoop and the screen printing and automatic embroidery machines (col. 4, lines 25-48).

In regard to claim 6, Krasnitz discloses that the hoop is formed from a metallic material to withstand the high temperatures required during a screen-printing drying phase (col. 3, lines 33-38).

In regard to claim 17, Krasnitz discloses a method of screen printing and embroidering a work piece, comprising securing a work piece in a hoop that is interchangeably mountable to a screen printing machine and an automated embroidery machine; mounting the hoop (10) in a first holder (28) on the screen printing machine; screen printing on the work piece; removing the hoop from the first hoop holder; and then mounting the hoop in a second hoop holder (34), such that the hoop centers and rotationally aligns the work piece during embroidery without having to remove the work piece from the hoop between operations (col. 4, line 49-col. 5, line 58).

In regard to claim 19, Krasnitz discloses interchangeably engaging the first and second hoop holders with a pair of opposed arms on the hoop (fig. 3 and fig. 5).

In regard to claim 21, Krasnitz discloses centering and rotationally aligning the hoop and the screen printing and automatic embroidery machines with registration and alignment features on the arms of the hoop and the first and second hoop holders (col. 4, lines 25-48).

Allowable Subject Matter

Claims 10-16 are allowed.

Claims 2, 5, 7-9, 18, 20, and 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

Claims 2 and 18 are allowed because they specifically require that the first and second hoop holders are identical.

Claims 5 and 20 are allowed because they specifically require that the first and second hoop holders are adjustable in the width direction to accommodate work pieces and hoops of various sizes.

Claims 7 and 22 are allowed because they specifically require that the centering feature be screened on the work piece during screen-printing for aligning the work piece with a needle of the automated embroidery machine.

Claims 8-16 and 23-24 are allowed because they specifically require that the first hoop holder be mounted to the frame of a printing machine adjacent to but spaced apart from the platen.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Farris (4,846,058) discloses a screen-printing machine with removable platens. Taylor (5,613,436) discloses a screen-printing machine with a variable position pin registration plate. Harpold (4,315,461) discloses a screen-printing machine. Mack (5,842,430) discloses a tubular hoping device for embroidery hoops.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Kauffman whose telephone number is (571)272-4988. The examiner can normally be reached on M-F every week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571)272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BKK
4/11/05


JOHN B. CALVERT
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